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12
13 **UNITED STATES DISTRICT COURT**
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

15 UNITED STATES OF AMERICA,) Case No.: CR 14-149-RS
16 Plaintiff,)
17 vs.) STIPULATION TO CONTINUE
18 IMRAN HUSAIN,) STATUS CONFERENCE
19 Defendant.) REGARDING EXCLUDABLE TIME
20) PERIODS UNDER SPEEDY TRIAL
21) ACT; ~~PROPOSED~~ ORDER

22
23 IT IS HEREBY STIPULATED by and between defendant, Imran Husain,
24 by and through his counsel of record, Victor Sherman, and plaintiff, United States
25 of America, by and through its counsel of record, Benjamin Kingsley, hereby
26 stipulate as follows:
27

28 1. By previous order, this matter was set for status on September 16,
2014 at 2:30 p.m.

- 1 2. By this Stipulation, the parties now move to continue the status
- 2 conference until September 30, 2014 at 2:30 p.m. and to exclude time
- 3 between September 16, 2014 and September 30, 2014, under 18
- 4 U.S.C. §3161(h)(7)(A); B(iv).
- 5 3. The parties agree and stipulate and request that the Court find the
- 6 following:
 - 7 a. The government has represented that the initial discovery has
 - 8 been provided and is continuing to prepare additional discovery
 - 9 in this matter. Discovery is ongoing at this time, but is not
 - 10 complete.
 - 11 b. Counsel for the defendant needs additional time for
 - 12 investigation and preparation. Counsel for defendant is
 - 13 continuing to investigate the matter. Counsel for defendant
 - 14 believes that failure to grant the above-requested continuance
 - 15 would deny them the reasonable time necessary for effective
 - 16 preparation and resolution, taking into account the exercise of
 - 17 due diligence.
 - 18 c. The government does not object to the continuance and agrees
 - 19 a continuance is necessary due to the ongoing voluminous
 - 20 discovery review.
 - 21 d. Based on the above-stated findings, the ends of justice served
 - 22 by continuing the case as requested outweigh the interest of the
 - 23 public and the defendant in a trial within the original date
 - 24 prescribed by the Speedy Trial Act.
 - 25 e. For the purpose of computing time under the Speedy Trial Act,
 - 26 18 U.S.C. §3161, et seq., within which trial must commence,
 - 27 the time period of September 16, 2014 to September 30, 2014,

1 inclusive, is deemed excludable pursuant to 18 U.S.C.
2 §316(h)(7)(A), B(iv) because it results from a continuance
3 granted by the Court at defendant's request on the basis of the
4 Court's findings that the ends of justice served by taking such
5 action outweigh the best interest of the public and the
6 defendant's interest in a speedy trial.

7 4. Nothing in this Stipulation and Order shall preclude a finding that
8 other provisions of the Speedy Trial Act dictate that additional time
9 periods are excludable from the period within which a trial must
10 commence.

11 IT IS SO STIPULATED.

12 DATED: September 15, 2014

Respectfully submitted,

13 SHERMAN & SHERMAN
14 A Professional Law Corporation

15 /s/Victor Sherman

16 By:

17 VICTOR SHERMAN
18 Attorney for Defendant
19 Imran Husain

20 /s/Benjamin Kingsley

21 DATED: September 15, 2014

22 By:

23 BENJAMIN KINGSLEY
24 Assistant United States Attorney

25 (PROPOSED) ORDER

26 PURSUANT TO STIPULATION, IT IS SO ORDERED.

27 DATED: September 16, 2014

28 
HON. RICHARD SEEBORG
United States District Judge